

DECLARATION



As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SERVER-CENTRIC SEARCH FUNCTION IN AN INTERACTIVE PROGRAM GUIDE** the specification of which was filed on September 1, 2000 as Application No. 09/653,381.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/205,939	May 18, 2000

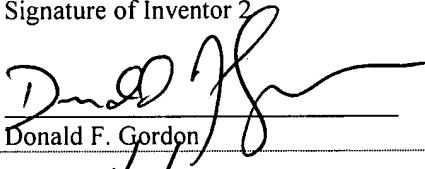
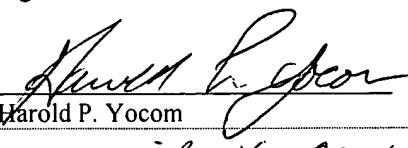
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/605,522	June 27, 2000	Pending
09/585,263	June 2, 2000	Pending
09/542,433	April 4, 2000	Pending
09/359,560	July 22, 1999	Pending
09/359,559	July 22, 1999	Pending
09/583,388	May 30, 2000	Pending

Full Name of Inventor 1:	Last Name: BAYRAKERI	First Name: SADIK	Middle Name or Initial:
Residence & Citizenship:	City: Foster City	State/Foreign Country: California	Country of Citizenship: Turkey
Post Office Address:	Post Office Address: 733 Shell Boulevard #104	City: Foster City	State/Country: California Postal Code: 94404

Full Name of Inventor 2:	Last Name: GORDON	First Name: DONALD	Middle Name or Initial: F.	
Residence & Citizenship:	City: Los Altos	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 465 Gabilan Street #10	City: Los Altos	State/Country: California	Postal Code: 94022
Full Name of Inventor 3:	Last Name: YOCOM	First Name: HAROLD	Middle Name or Initial: P.	
Residence & Citizenship:	City: Fremont	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 4829 Regent Park Lane	City: Fremont	State/Country: California	Postal Code: 94538

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Sadik Bayrakeri	Signature of Inventor 2  Donald F. Gordon	Signature of Inventor 3  Harold P. Yocom
Date 4-4-01	Date 4/4/01	Date April 4 2001

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee: Sadik Bayrakeri et al
Application or Patent No.: 09/653,381
Filed or Issued: September 1, 2000
Title: SERVER-CENTRIC SEARCH FUNCTION IN AN INTERACTIVE PROGRAM GUIDE

I hereby declare that I am:

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Small Business Concern: DIVA Systems Corporation
Address of Small Business Concern: 800 Saginaw Drive
Redwood City, CA 94063

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SERVER-CENTRIC SEARCH FUNCTION IN AN INTERACTIVE PROGRAM GUIDE by inventor(s) Sadik Bayrakeri, Donald F. Gordon, Harold P. Yocom described in:

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____
Address: _____

Individual Small Business Concern Nonprofit Organization

Address: _____

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Stephanie Storms
Title of Person if Other than Owner: Senior Vice President
Address of Person Signing: 800 Saginaw Drive
Redwood City, CA 94063

Signature Stephanie Starnes Date 3/31/01

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANTS : Sadik Bayrakeri et al.
SERIAL NO.: 09/653,381
FILED: 9/1/00
FOR: SERVER-CENTRIC SEARCH FUNCTION IN AN
INTERACTIVE PROGRAM GUIDE
GROUP ART UNIT: 2613 EXAMINER: NOT ASSIGNED
ATTORNEY DOCKET NO.: DIVA/265



POWER OF ATTORNEY

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

DIVA Systems Corporation, by Stephanie A. Storms, its Senior Vice President, General Counsel, who is authorized to act on behalf of DIVA Systems Corporation, states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventors of the patent application identified above. A copy of the Assignment is attached hereto. The original has been forwarded to the PTO under separate cover for recording.

DIVA Systems Corporation, hereby revokes all prior Powers of Attorney or Authorization of Agent and appoints instead:

All attorneys and/or agents of
CUSTOMER #26,291
THOMASON, MOSER & PATTERSON, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

Please forward all correspondence in connection with this application to **CUSTOMER #26,291**.

DIVA Systems Corporation

By Stephanie A. Storms
Stephanie A. Storms

Dated:

5/3/01

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Sadik Bayrakeri, of 733 Shell Boulevard #104, Foster City, CA 94404; Donald F. Gordon, of 465 Gabilan Street #10, Los Altos, CA 94022; Harold P. Yocom, of 4829 Regent Park Lane, Fremont, CA 94538; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **SERVER-CENTRIC SEARCH FUNCTION IN AN
INTERACTIVE PROGRAM GUIDE**

Date(s) of execution of Declaration:

Filing Date: **September 1, 2000**

Application No.: **09/653,381; and**

WHEREAS, DIVA Systems Corporation, a corporation of the state of Delaware, located at 800 Saginaw Drive, Redwood City, CA, 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment
Attorney Docket No.: 19880-001710US
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IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 4-4-02

S.B.B.

Sadik Bayrakeri

Dated: April 4, 2001

D. Gordon

Donald F. Gordon

Dated: April 4, 2001

H. P. Yocom

Harold P. Yocom

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